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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,471	07/20/2001	Jeffrey K. Wilkins	WIL-102	1749

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EXAMINER	
BORISSOV, IGOR N	

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 01/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/410,471	GILL, RICHARD A.	
	Examiner	Art Unit	
	Igor Borissov	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 October 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15 and 18-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15 and 18-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 5-13, 18-24, 29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence et al. (US 6,289,342) in view of Wical (US 6,487,545).

Lawrence et al. teach a method and system for autonomus citation indexing and literature browsing using citation context, comprising:

As per claims 1, 29 and 31,

a) locating within said distributed computer system files that contain author information (column 7, lines 29-35; column 9, lines 24, 47-48);

b) parsing said files to extract said author information (column 7, lines 29-35; column 8, lines 20-28);

c) evaluating said author information to combine different forms of the same terms (column 7, lines 29-35).

Lawrence et al. do not specifically teach that evaluating said extracted information by combining different forms of the same terms includes evaluating a tense related to said extracted information; and selecting said information based on said evaluation.

Wical teaches a method and system for analysing information utilizing a linguistic engine, wherein the verb tense is evaluated and selected based on said evaluation (column 66, lines 10-11; column 41, lines 15-30; column 57, lines 39-43).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Lawrence et al. to include that said combining of different forms of the same terms includes evaluating a tense related to said extracted information, because it appears that the claimed features do not distinguish the invention over similar features in the prior art, and the teachings of Lawrence et al. would perform the invention as claimed by the applicant with either specifically mentioning a verb tense, or not.

Also, **as per claims 1, 29 and 31**, Lawrence et al. and Wical do not explicitly teach that said author information includes contact information of one or more senior managers.

However, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The "locating" through "selecting" steps would be performed the same regardless of the content of the information extracted. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack,* 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry,* 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Also, Lawrence et al. teach:

As per claims 5-10, said method and system, wherein said files are located on World Wide Web (column 7, line 29 – column 8, line 6).

As per claims 11-13, said method and system, wherein said files are located using a publicly accessible search engine or a custom designed spider (column 7, line 59 – column 8, line 11).

As per claims 18-19, said method and system, wherein said step of locating comprises the step of using one or more tags to locate said files containing said information (column 8, line 65 – column 9, line 28).

As per claims 20-21, said method and system, further comprising the step of rating said information (column 9, line 64 – column 11, line 44).

As per claim 22, said method and system, wherein said step of parsing comprises the step of using inclusion and exclusion characteristics to extract said information (column 12, lines 7-23).

As per claims 23, said method and system, further comprising the step of normalizing said information (column 12, lines 7-23; column 14, lines 29-67).

As per claims 24, said method and system, further comprising the step of eliminating duplicate sets of said information (column 8, lines 8-9; column 14, lines 29-67).

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence et al. and Wical in view of Johnson et al. (US 6,553,385).

As per claims 2-4, Lawrence et al. and Wical teach all the limitations of claims 2-4, including the step of evaluating said files containing said information to determine

relatedness of all documents found to a document of interest (column 16, line 42 – column 17, lines 65).

Lawrence et al. and Wical do not specifically teach that relatedness of the documents found comprises a confidence level.

Johnson et al. teach a method and system for information extraction from documents, wherein a confidence measurement is applied to the search results (column 10, lines 20-22).

It would have been an obvious matter of design choice to modify Lawrence et al. and Wical to include that relatedness of the documents found comprises a confidence level, because it appears that the claimed features do not distinguish the invention over similar features in the prior art, and the teachings of Lawrence et al. and Wical would perform the invention as claimed by the applicant with any terminology used to describe the step of evaluating relatedness of the search results.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence et al. and Wical in view of Kavner (US 6,366,947).

As per claim 14, Lawrence et al. and Wical teach all the limitations of claim 14, except that one or more links are selected based on their proximity to a set of keywords.

Kavner teaches a method and system for accelerating network interaction, wherein a statistical engine is utilized to predict what links a user might select next based on hey words in the links or resources, relationship of the link to the present page, including location of the link on the page (column 17, lines 3-26).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Lawrence et al. and Wical to include that one or more links are selected based on their proximity to a set of keywords, because it would enhance the thoroughness of the search results by downloading all the associated hypertext links that are on the present page.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence et al. and Wical in view of Maddalozzo, Jr. et al. (US 6,460,060).

As per claim 15, Lawrence et al. and Wical teach all the limitations of claim 15, except that said files are located using a previously generated list of said files.

Maddalozzo, Jr. et al. teach a method and system for searching web browser history, wherein a search for files is conducted based on the previously generated list of said files (column 2, lines 37-45).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Lawrence et al. and Wical to include that said files are located using a previously generated list of said files, because this technique appears to be a common practice in database and file management.

Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence et al. and Wical in view of Sutter (US 5,924,094).

As per claims 25-28, Lawrence et al. and Wical teach all the limitations of claims 25-28, except for extracting time-stamps of said files that contain said information.

Sutter teaches a distributed database method and system, wherein time-stamps are extracted from accessed files (column 77, lines 49-53).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Lawrence et al. and Wical to include extracting time-stamps from accessed files, because this technique appears to be a common practice in database and file management.

Also, **as per claims 30 and 32**, Lawrence et al. teach said method and system, further comprising means for performing method steps of claims 2-15 and 18-28 (column 7, lines 29-35; column 8, lines 20-28).

Response to Arguments

Applicant's arguments with respect to claim1-15 and 18-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to:

(703) 872-9306 [Official communications; including After Final communications labeled "Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

JB

JOHN G. WEISS
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